

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL McGRATH

Defendant.

CRIMINAL NO.: 09-CR-436

ORDER OF RELEASE

It is on this 11th of June, 2009 **ORDERED** that the release of the Defendant is subject to the following conditions:

That bail be fixed at \$ 1,000,000.00 and the defendant be released upon executing an appearance bond to be secured by the following cash and property: 23 East Channel Way, Ocean Beach, New Jersey (owned by defendant and his brother, James McGrath, \$260,000 available equity); 21 Monroe Avenue, Roseland, New Jersey (owned by defendant's brother and sister-in-law, James and Lori McGrath, \$72,000 available equity); \$100,000 cash from the defendant's uncle, Peter McGrath; \$300,000 cash, Certificates of deposit, value \$136,000 and IRA, value \$42,102.71 posted by defendant's mother, Gail McGrath and an IRA, value \$84,637.71 posted by defendant's wife, Susan McGrath. **This is to be completed no later than the close of business day on Monday, June 15, 2009.**

It is further **ORDERED** that, in addition to the above, the following conditions are imposed:

1. That the defendant not attempt to influence, intimidate, or injure any juror or judicial officer; not tamper with or retaliate against any witness, victim or informant in this case.
2. That the defendant be released in the custody of PRETRIAL SERVICES for supervision during the period of release.
3. Defendant's brother, Thomas McGrath to serve as Third Party Custodian.
4. Travel restricted to New Jersey, unless prior approval of Pretrial Services.
5. Drug testing and treatment as deemed necessary.
6. Mental Health treatment as deemed necessary.
7. Surrender of passport and/or do not apply for travel documents.
8. Refrain from the use of any alcohol.

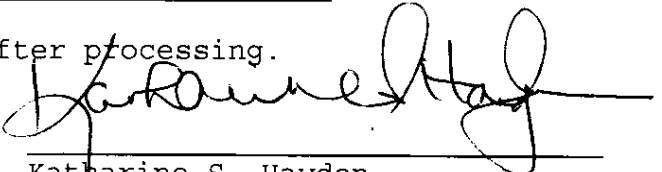
9. Refrain from gambling.
10. Do not take any medication unless prescribed by a medical doctor.
11. Home Incarceration: The defendant will be placed on electronic monitoring, and will remain at his residence at all times except for the following reasons: attorney meetings, court appearances, medical treatment and religious services or other activities as pre-approved by Pretrial Services. The defendant shall pay all or part of the cost of electronic monitoring, based upon their ability to pay as determined by the Court and the Pretrial Services Agency.

It is further **ORDERED** that the defendant be furnished with a copy of this order and a Notice of the Penalties applicable to violation of conditions of release.

DIRECTIONS TO THE UNITED STATES MARSHAL

The defendant is ORDERED released after processing.

Dated: June 11, 2009


Katharine S. Hayden,
United States District Judge

NOTICE OF PENALTIES APPLICABLE
TO THE VIOLATION OF CONDITIONS OF RELEASE

Title 18, United States Code, Section 3146 (c) provides that a warrant for the arrest of a defendant will be issued immediately upon any violation of the conditions of release. Conditions of release include those contained in the Appearance Bond the defendant may be required to execute.

Title 18, United States Code, Section 3150, provides that if the defendant willfully fails to appear as required he/she shall incur a forfeiture of any security given or pledged; and in addition:

1. If the release was in connection with a charge of felony, or while the awaiting sentence or pending appeal, he/she shall be fined not more than \$5,000. or imprisoned not more than five years, or both.
2. If the charge was a misdemeanor, he/she shall be fined not more than the maximum provided for such misdemeanor or imprisoned for not more than one year, or both.
3. If the above release relates to an appearance of a material witness, the penalty for willfully failing to appear is a fine of not more than \$1,000.00 or imprisonment for not more than one year, or both.